

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

CHRISTINA L. CUPP, as Administrator of
the Estate of LITTLE JOHN CUPP,

Plaintiff,

vs.

UNITED HEALTHCARE SERVICES, INC.,
et al.,

Defendants.

Case No. 2:24-CV-01519

Judge Edmund A. Sargus
Magistrate Judge Chelsey M. Vascura

STIPULATION OF DISMISSAL

In accordance with Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and on the basis of the motions to dismiss filed by Defendants EviCore Healthcare MSI, LLC (“EviCore”) (Docs. 11 and 12), and United HealthCare Services, Inc. (“United”) (Doc. 14), and Plaintiff’s Combined Response to United’s and EviCore’s motions to dismiss (Doc. 27), the parties who have appeared in this action, by and through the undersigned counsel, respectfully give notice that they have stipulated to the voluntary dismissal without prejudice of the above-referenced matter as to United and EviCore, and all claims in their entirety that were asserted, could have been asserted, and/or should have been asserted by Plaintiff against United and EviCore. Each party, to include Plaintiff, United, and EviCore, will bear its own costs, fees, and expenses. No other claims or parties are intended to be affected by this dismissal.

Following the dismissal of United and EviCore, no federal claims will remain pending in the litigation, and the parties that will remain (Ms. Cupp, Adena Health System, Adena Medical

Group, LLC and Dr. Hassan) stipulate and agree to the remand of the remaining claims to the Franklin County Court of Common Pleas.

Respectfully submitted,

/s/ John A. Markus (per email auth., 10/16/24, ALM)

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CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2024, I caused a true and correct copy of the foregoing to be filed through the Court's electronic filing system and that this document was emailed to all counsel of record.

/s/ Kathryn M. Lloyd

*One of the Attorneys for Defendant
United HealthCare Services, Inc.*